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APPLICATION NO. FILING DATE		LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/978,551 10/18/20		10/18/2001	Hirotaka Noro	740670-269	5064	
31780	7590	12/21/2005		EXAMINER		
ERIC ROP	BINSON		TANG, KAREN C			
PMB 955 21010 SOUTHBANK ST.				ART UNIT	PAPER NUMBER	
POTOMAC	FALLS, V	VA 20165	2151			

DATE MAILED: 12/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application	on No.	Applicant(s)					
		09/978,55	51	NORO, HIROTAKA					
	Office Action Summary	Examiner		Art Unit					
		Karen C. 1	ang	2151					
Period fo	The MAILING DATE of this communication or Reply	appears on the	cover sheet with the	correspondence ad	ddress				
WHIC - Exter after - If NO - Failu Any r	ORTENED STATUTORY PERIOD FOR RECHEVER IS LONGER, FROM THE MAILING isions of time may be available under the provisions of 37 CF (SIX (6) MONTHS from the mailing date of this communication period for reply is specified above, the maximum statutory pere to reply within the set or extended period for reply will, by steply received by the Office later than three months after the new patent term adjustment. See 37 CFR 1.704(b).	G DATE OF THE TRANSPORT	IIS COMMUNICATIO ent, however, may a reply be tin II expire SIX (6) MONTHS from ication to become ABANDONE	N. mely filed n the mailing date of this o ED (35 U.S.C. § 133).					
Status									
1)⊠	Responsive to communication(s) filed on 6	07 October 200	5.						
•		This action is n							
· —	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is								
	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.								
Dispositi	on of Claims								
4)🖂	☑ Claim(s) <u>7-9</u> is/are pending in the application.								
	4a) Of the above claim(s) is/are withdrawn from consideration.								
5)	Claim(s) is/are allowed.								
6)⊠	Claim(s) <u>7-9</u> is/are rejected.								
7)	_								
8)[Claim(s) are subject to restriction are	nd/or election re	equirement.						
Applicati	on Papers								
9)	The specification is objected to by the Exar	miner.							
10)🛛	10)⊠ The drawing(s) filed on <u>18 October 2001</u> is/are: a)⊠ accepted or b)⊡ objected to by the Examiner.								
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).								
	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).								
11)	The oath or declaration is objected to by the	e Examiner. No	ote the attached Office	e Action or form P	TO-152.				
Priority ι	ınder 35 U.S.C. § 119								
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 									
Attachmen	• •								
	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948	21	4) Interview Summary Paper No(s)/Mail D						
3) 🔲 Infor	e of Dramsperson's Patent Drawing Review (PTO-948 nation Disclosure Statement(s) (PTO-1449 or PTO/SE r No(s)/Mail Date		5) Notice of Informal (6) Other:		O-152)				

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This action is responsive to the amendment and remarks file on 10/07/05.

- Claims 7-9 are presented for further examination.
- Claims 1-6 are canceled.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukuda (US 6,594,740) in view of Applicant Admitted Prior Art (AAPA - Background Information).

1. Fukuda discloses audio system having a recording/reproducing apparatus for recording on a record disk music data reproduced from a reproduction disk and a control apparatus for controlling the recording/reproducing apparatus, the control apparatus being adapted to communicate with an external information management server via a predetermined interface, the audio system comprising:

means contained in the recording/reproducing apparatus for transferring identification information for identifying a target reproduction disk to the control apparatus (Col 2, Lines 45-60, Col 7, Lines 20-35, Col 17, Col 19, Lines 15-67);

means contained in the control apparatus for communicating with the external information management server to acquire disk information of the target reproduction disk from the external information management server on the basis of the identification information (refer to Col 10, Lines 25-35, Col 20, Lines 15-67); and means contained in the recording/reproducing apparatus for registering in the record disk the extracted title information (refer to Col 17, Lines 1-20 and Col 19, and 20).

Fukuda does not expressly disclose transferring the extracted title information to the recording/reproducing apparatus in response to the completion of the recording of one piece of music.

AAPA discloses transferring the extracted title information to the recording/reproducing apparatus in response to the completion of the recording of one piece of music (pg 2, Lines 15-25, Pg 3, and pg 4, Lines 1-10, the claim language does expressly indicate the correspondence between the title of the music and the piece of the music that are being recorded/reproduced, therefore, for example, once the system senses that a music piece A is completely recorded/reproduced (completion of the recording of one piece of music), then the system starts transferring the title of music piece B (transferring the extracted title information), once that is being completed, the system starts to record/reproduce music piece B.).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the AAPA and Fukuda. Both Fukuda and AAPA inventions are about recording music pieces with their relevant information, and Fukuda discloses methods

of reproducing/recording music including the title and related information (Col 21, Lines 1-10).

The suggestion/motivation for doing so would have been that by implement via network, it can provides convenience accessibility for the users around the world to download/reproducing/recording piece of music of their choices.

2. Fukuda discloses an audio system having a recording/reproducing apparatus for recording on a record disk music data reproduced from a reproduction disk and a control apparatus for controlling the recording/reproducing apparatus, the control apparatus being adapted to communicate with an external information management server via a predetermined interface, the audio system comprising: means contained in the recording/reproducing apparatus for transferring identification information for identifying a target reproduction disk to the control apparatus (Col 2, Lines 45-60, Col 7, Lines 20-35, Col 17, Col 19, Lines 15-67 and Col 10, lines 20-59 and Col 20, Lines 30-55); means contained in the control apparatus for communicating with the external information management server to acquire disk information of the target reproduction disk from the external information management server on the basis of the identification information (Col 10, Lines 25-35, and Col 20, Lines 15-67); means contained in the control apparatus, the means operating to extract title information from the acquired disk information of the target reproduction disk (refer to Col 18, Lines 1-10),

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and means contained in the recording/reproducing apparatus for registering in the record disk the extracted title information (refer to Col 17, Lines 1-20, Col 19, Col 20). Fukuda does not expressly disclose to edit the extracted title information to instruct the recording/reproducing apparatus to record the music data after completing the editing, and to transfer the edited title information to the recording/reproducing 'apparatus in response to the completion of the recording of the music data in the recording/reproducing apparatus;

AAPA discloses to edit the extracted title information to instruct the recording/reproducing apparatus to record the music data after completing the editing, and to transfer the edited title information to the recording/reproducing apparatus in response to the completion of the recording of the music data in the recording/reproducing apparatus (pg 2, Lines 15-25, Pg 3, and pg 4, Lines 1-10, it is being interprets that extracted title is being transferred in response to the one piece of music is completely recorded.);

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the AAPA and Fukuda. Both Fukuda and AAPA inventions are about recording music pieces with their relevant information, and Fukuda discloses methods of reproducing/recording music including the title and related information (Col 21, Lines 1-10).

The suggestion/motivation for doing so would have been that by implement via network, it can provides convenience accessibility for the users around the world to download/reproducing/recording piece of music of their choices.

3. Fukuda discloses an audio system having a recording/reproducing apparatus for recording on a record disk music data reproduced from a reproduction disk and a control apparatus for controlling the recording/reproducing apparatus, the control apparatus being adapted to communicate with an external information management server via a predetermined interface, the audio system comprising:

means contained in the recording/reproducing apparatus for transferring both identification information for identifying a target reproduction disk and text data acquired from the target reproduction disk to the control apparatus (Col 2, Lines 45-60, Col 7, Lines 20-35, Col 17, Col 19, Lines 15-67 and Col 10, lines 20-59 and Col 20, Lines 30-55);

means contained in the control apparatus for communicating with the external information management server to acquire disk information of the targets reproduction disk from the external information management server on the basis of the identification information (refer to Col 17, Lines 1-20, Col 19, Col 20);

means contained in the control apparatus for extracting title information from the acquired disk information of the target reproduction disk and for transferring the extracted title information to the recording/reproducing apparatus (refer to Col 17, Lines 1-20 and Col 19, and 20); and means contained in the recording/reproducing apparatus for registering in the record disk the extracted title information (refer to Col 17, Lines 1-20 and Col 19, and 20).

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Fukuda does not expressly disclose contained in the control apparatus for editing the text data and does not expressly discloses transferring the extracted title information to the recording/reproducing apparatus in response to the completion of the recording of one piece of music.

AAPA discloses means contained in the control apparatus for editing the text data and transferring the extracted title information to the recording/reproducing apparatus in response to the completion of the recording of one piece of music (pg 2, Lines 15-25, Pg 3, and pg 4, Lines 1-10, it is being interprets that extracted title is being transferred in response to the one piece of music is completely recorded.);

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the AAPA and Fukuda. Both Fukuda and AAPA inventions are about recording music pieces with their relevant information, and Fukuda discloses methods of reproducing/recording music including the title and related information (Col 21, Lines 1-10).

The suggestion/motivation for doing so would have been that by implement via network, it can provides convenience accessibility for the users around the world to download/reproducing/recording piece of music of their choices.

Response to Arguments

Applicant's arguments filed 10/07/05, have been fully considered but they are moot due to the amended claims.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen C. Tang whose telephone number is (571)272-3116. The examiner can normally be reached on M-F 7 - 3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571)272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Karen Tang

ARRYD. DONAGNUE